

UNITED STATES DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
WASHINGTON, DC

---

## ORDER

**FAA Order  
Number:** Odra-00-149

**Matter:** Contract Dispute of E. Avico, Inc.  
Under Contract No. DTFA08-98-O-04110

**Docket:** 00-ODRA-00149

**Date Served:** June 2, 2000

---

## ORDER

E. Avico, Inc. ("Avico") has submitted a contract dispute under Contract No. DTFA08-98-O-04110 issued by the FAA Western Pacific Region ("Region") for the installation of a DF antenna in a remote location on Saddle Ridge in southern California. Avico has sought a total of \$15,687.81 for alleged additional work and delays caused by the Region. The Region has denied any liability and counterclaimed for the value of alleged deleted work in the amount of \$3,141.00.

For the reasons set forth in the attached Findings and Recommendations of the Office of Dispute Resolution for Acquisition ("ODRA"), and pursuant to the March 27, 2000 Delegation of final decisional authority from the Administrator to the Director of the ODRA<sup>\*</sup>, it is hereby ordered that: (1) Avico is entitled to a total of \$1,395.24 on its claim;

---

<sup>\*</sup> The March 27, 2000 Delegation grants the Associate Chief Counsel/Director of the ODRA "authority to execute and issue on behalf of the Administrator, orders and final decisions for the FAA in all matters within the ODRA's jurisdiction, provided that such matters involve...a contract dispute involving a total amount in dispute, exclusive of interest, legal fees or costs, of not more than one million dollars (\$1,000,000.00)." See Federal Register Vol. 65, No. 72, at p. 19958, April 13, 2000.

and (2) the Region is entitled to an offsetting credit of \$1,487.57 on its counterclaim. Accordingly, Avico is liable and ordered to compensate the Region in the net amount of \$92.33.

This is the final Agency order in this matter. To the extent that this decision is subject to review, such review shall be sought in accordance with 49 U.S.C. §46110. A petition for review must be filed with the United States Court of Appeals for the District of Columbia Circuit, or in the court of appeals of the United States for the circuit in which the petitioner resides or has its principal place of business. The petition must be filed not later than 60 days after the date that this order is issued. A copy of any such petition must also be filed with the FAA Office of Dispute Resolution for Acquisition on the date it is filed with the appropriate circuit court of appeals.

Issued for the FAA Administrator this 2nd  
day of June, 2000.

\_\_\_\_\_  
/s/

Anthony N. Palladino  
Associate Chief Counsel & Director  
FAA Office of Dispute Resolution  
For Acquisition